

EXHIBIT S

DEPARTMENT OF EDUCATION
OF THE
CITY OF NEW YORK

In the Matter of:

ROBERT RIOS

District #11

Friday
December 22, 200

The above-entitled matter came on for hearing at 9:30 a.m.

BEGGERS

WARREN J. SINSHEIMER, Attorney for Parent/Child
GLORIA RODRIGUEZ, Parent

For the Department of Education:

MARK PARENT: CSE Region 2 Representative

DEPARTMENT OF EDUCATION DESCRIPTION I.D. IN EV.

I N D E X

EXHIBITS

<u>PARENT</u>		<u>DESCRIPTION</u>	<u>I.D.</u>	<u>IN EN.</u>
1		IEP dated 12/7/05	4	6
2		Educational Eval, 9/26/02	4	6
3		Psycho Ed Eval, 9/19/05	4	6
4		Winston Prep Enrollment Agreement	4	6
5		Winston Prep Enrollment Policy	4	6
6		Letter to Region 2, 8/17/06	5	6
7		2005 Income Tax Return	5	6
8		IHO Decision 10/23/06	5	6
		Progress Report	6	6

DEPARTMENT OF EDUCATION **DESCRIPTION** **I.D.** **IN EV.**

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PROCEEDINGS

3

1 HEARING OFFICER NOE: Good morning. My
 2 name is Mary Noe. I've been appointed as an
 3 impartial hearing officer to hear the case of
 4 Robert Rios, 107814. Robert's date of birth is
 5 September 6th 1995. He is currently classified as
 6 speech impaired, attends Winston Preparatory and
 7 this is for Connors funding. It is my
 8 understanding that the petitioner brought a
 9 petition prior to this one for the exact same
 10 relief and that petition was brought on or about
 11 August, there was a hearing on or about October
 12 and the hearing officer heard the case and
 13 dismissed without prejudice. That decision is
 14 currently up on appeal. A motion was made before
 15 me also to dismiss this petition. Although I
 16 believe the petition was probably untimely and
 17 the hearing officer's decision was probably
 18 inappropriate I have no other choice but to move
 19 forward in this hearing in light of the fact that
 20 a new petition was submitted and a prior decision
 21 was without prejudice and therefore we have time
 22 lines and compliance. So before we get started
 23 I'm going to ask everyone in the room to identify
 24 themselves starting with my left.

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1 MR. MARK PARENT: Mark Parent, CSE
 2 Region 2 representative.
 3 MR. WARREN SINSHEIMER: Warren
 4 Sinsheimer of Legal Services for Children.
 5 MS. GLORIA RODRIGUEZ: Gloria Rodriguez,
 6 mother of Robert Rios.
 7 HEARING OFFICER NOE: Okay. Does the
 8 petitioner have any documents they want to put
 9 into evidence?
 10 MR. SINSHEIMER: A few.
 11 HEARING OFFICER NOE: Have you given the
 12 district a copy of these documents?
 13 MR. SINSHEIMER: They've all be faxed.
 14 MR. PARENT: Yes. Yes.
 15 HEARING OFFICER NOE: Do you have any
 16 objection to any of these documents?
 17 MR. PARENT: No.
 18 HEARING OFFICER NOE: Okay. So I'll
 19 read them into the record. Parent's 1 is IEP
 20 dated December 7th 2005. Parent's 2 educational
 21 evaluation dated September 26th 2002. Parent's 3
 22 psycho educational evaluation dated September 19th
 23 2005. Parent's 4 is an enrollment agreement with
 24 Winston Preparatory. Parent's 5 is an enrollment
 25 policy with Winston Preparatory. Parent's 6 is a

letter to Region 2 dated August 17th 2006.
Parent's 7 is income tax return for the year
2005. Parent's 8 is a finding of fact and
decision dated October 23rd 2006. Parent's 9 is
any document listed which was prepared by -

MR. SINSHEIMER: Any other document
prepared by the Department of Education.

HEARING OFFICER NOE: That's

unacceptable Mr. Sinsheimer. That's not the way
you enter a document into evidence. So do you
have anything here as Parent's 9?

MR. SINSHEIMER: No, not yet.

HEARING OFFICER NOE: So I'm going to
strike Parent's 9.

MR. SINSHEIMER: But there is another
document which was on another letter that was
sent within the five day limit.

HEARING OFFICER NOE: Okay. So you have
a letter dated -

MR. SINSHEIMER: No, it's a progress
update. It's called - it was sent to them on
December 11th - December 12th.

HEARING OFFICER NOE: A progress update
from Winston Preparatory School, which may be
introduced already. Is this it?

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1 MR. SINSHEIMER: Yes, it is.
2 HEARING OFFICER NOE: Okay. We have a
3 progress update that's undated. Okay. We'll
4 call that Parent's 9. No objection?
5 MR. PARENT: No objection.

6 HEARING OFFICER NOE: Okay. We have a
7 progress update from the Winston School.

8 (Parent's Exhibits 1 through 9 were
9 admitted into evidence.)

10 HEARING OFFICER NOE: Do you have any
11 documents you want to admit into evidence?

12 MR. PARENT: No.

13 HEARING OFFICER NOE: Okay. Okay. Are
14 you ready to proceed, Mr. Sinsheimer?
15 MR. SINSHEIMER: I am. The first thing
16 I would like to -

17 MR. PARENT: I would first like, again,
just to enter on the record, the objection to the
hearing going forward today and make a motion to
dismiss without prejudice so to allow the SRO
decision to come forth in order to avoid a
conflicting - the possibility of conflicting
outcomes.

20 HEARING OFFICER NOE: I totally agree.
21 However, I'm under a constraint to move the cases
22

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1 forward and I totally understand the mess that
2 this is in. However, it's not due to my own
3 fault and I have a petition. I have to hear the
4 petition and so whatever the SRO decides, they're
5 under different time lines and I totally
6 understand what you're saying. I can't wait for
7 an SRO decision. When is that SRO decision
8 coming down?

9 MR. PARENT: I have no idea.

10 MR. SINSHEIMER: The time to answer -
11 our time to answer has been extended to the 29th
12 of December and the Department's time to reply I
13 think is extended to the 12th of January.

14 HEARING OFFICER NOE: And then he has
15 thirty days after that so it's -

16 MR. PARENT: But if it's dismissed
17 without prejudice it's taken off the calendar.
18 Isn't it taken off the time line?

19 HEARING OFFICER NOE: No, no. The
20 hearing officer previously dismissed without
21 prejudice which means the parent can bring
22 another petition. Okay? That's without
23 prejudice. It means you can come before a
24 hearing officer again. I understand that that's
25 up before the SRO. I don't necessarily agree

1 with any hearing officer who makes that kind of a
2 determination after a hearing. It doesn't make
3 any sense to me. I'm not sure how the SRO is
4 going to decide but I have no other - all I have
5 is that before me is that it's dismissed without
6 prejudice. The fact that it's up before an SRO,
7 who knows what the SRO is going to decide? I
8 understand the mess that you're in. I just don't
9 know how to untangle it.

10 MR. SINSHEIMER: I think what Mark was
11 referring to that if this was dismissed without
12 prejudice it can be brought again, that that
13 would not -

(OFF THE RECORD)

14 (ON THE RECORD)
15 HEARING OFFICER NOE: Okay. The
16 district has made a motion to adjourn this case
17 and -

18 MR. PARENT: My motion was to dismiss
19 without prejudice but I'm agreeable to -

20 HEARING OFFICER NOE: Are you making a
21 motion - because there's already been a motion to
22 dismiss and I've denied that. Are you making -

23 MR. PARENT: I'll make a motion to
24 adjourn.

1 HEARING OFFICER NOE: Okay. Do you want
2 to be heard on that?

3 MR. SINSHEIMER: For how long?

4 HEARING OFFICER NOE: For how long, Mr.
5 Parent?

6 MR. PARENT: I think probably the best
7 way to do it is set a control date.

8 HEARING OFFICER NOE: Okay. For when?

9 MR. PARENT: A month?

10 HEARING OFFICER NOE: Okay.

11 MR. SINSHEIMER: I mean if you're going
12 to wait a month you might as well try the case
13 today. Nothing is going to happen to this case -

14 in my judgment nothing is going to happen until
15 the middle of February or the end of February.

16 HEARING OFFICER NOE: Right, because
17 you've extended the time, which I don't
18 understand why but everybody has their own reason
19 for extending the time but the SRO has thirty
20 days.

21 MR. SINSHEIMER: After.

22 HEARING OFFICER NOE: After, right. But
23 you've extended the time.

24 MR. SINSHEIMER: I haven't. They did.

25 HEARING OFFICER NOE: They extended the

1 time to put in the papers.

2 MR. SINSHEIMER: I'm not talking about -
3 the SRO extended the time.

4 HEARING OFFICER NOE: But somebody made
5 an application to the SRO to extend the time.

6 MR. SINSHEIMER: No. One of the papers
7 was not in the form that they wanted. They sent
8 it back to be retyped.

9 HEARING OFFICER NOE: Okay. So nothing
10 is going to happen until the end of February. So
11 you want to adjourn this?

12 MR. PARENT: Okay. Adjourn to the end
13 of February.

14 HEARING OFFICER NOE: Okay. So what I'm
15 going to do is - You want to make a motion to
16 extend the compliance date?

17 MR. PARENT: Yes.

18 HEARING OFFICER NOE: I'm going to
19 extend the compliance date thirty days from
20 today's date. I can only grant one today but
21 then after that are you going to make subsequent
22 motions to extend the compliance date until let's
23 see - just let me figure it out. Today's
24 compliance date will be extended to January 20th.

25 The next one will be extended to February 20th.
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1 Will we get a decision by then?

2 MR. SINSHEIMER: I don't know. My
3 recollection is that the Department has until I
4 think it's the 12th of January to reply to ours.

5 HEARING OFFICER NOE: It was my
understanding there was no reply on SRO appeals.

6 MR. SINSHEIMER: I cross appealed.

7 HEARING OFFICER NOE: Oh, you -

8 MR. SINSHEIMER: They appealed -

9 HEARING OFFICER NOE: - cross appealed.

10 MR. SINSHEIMER: - and I cross appealed.

11 HEARING OFFICER NOE: I see. Okay.

12 MR. SINSHEIMER: I cross appealed to

13 overrule the hearing officer.

14 HEARING OFFICER NOE: I understand. No

15 problem. Okay. So what I'm going to do is - I -
16 you - are you making several motions to extend
17 the compliance date until February 20th?
18

19 MR. PARENT: Yes.

20 HEARING OFFICER NOE: Okay. I'm going
to grant the first one. The second one on
21 February 20th I'm going to set down for compliance
22 - control date because I want to speak to both of
23 you on that day.

24 MR. SINSHEIMER: Can I just be heard on
25

1 that?

2 HEARING OFFICER NOE: Absolutely,
3 positively.

4 MR. SINSHEIMER: The only problem that I
have with this is this child is in Winston Prep.
His mother hasn't paid. I am not sure how long
he will be allowed to stay there and any delay I
think is to his detriment.

5 HEARING OFFICER NOE: Well, I can
appreciate it. However, the attorney should have
6 thought about this prior to all of this going on.
7
8 I mean -

9 HEARING OFFICER NOE: Just a moment. I
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Document 10-5
MR. SINSHEIMER: It was tried in October
which would have been a timely way.
HEARING OFFICER NOE: Okay.
MR. SINSHEIMER: We heard in November
that it was dismissed with prejudice. Within
four days of getting that I filed a new one so
this child would not be detrimentalized.

HEARING OFFICER NOE: But you have an
appeal going on.

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13

14

1 MR. SINSHEIMER: It's not my appeal.
 2 It's their appeal.

3 HEARING OFFICER NOE: You cross
 4 appealed. So you're going to extend it even that
 5 much longer.

6 MR. SINSHEIMER: Just because they have.

7 HEARING OFFICER NOE: Well, that's a
 8 great way to practice law. Because they did it
 9 you're going to do it too.

10 MR. SINSHEIMER: I resent that too.

11 HEARING OFFICER NOE: Whatever. I mean
 12 it seems to me this case has been a mess from the
 13 beginning and if I continue it on now it's even
 14 more of a mess. I've got to get something from
 15 the SRO. I asked the both of you to get your
 16 papers into the SRO as soon as possible so that
 17 we can get a decision and either go forward or
 18 dismiss the case.

19 MR. SINSHEIMER: Well, the papers were
 20 on time to the SRO. The SRO bounced one set of
 21 papers back and said to redo them.

22 HEARING OFFICER NOE: Well, now, at this
 23 point, I'm asking both of you, I'm pleading with
 24 both of you, to get your papers in as soon as
 25 possible so we don't jeopardize this at this

C E R T I F I C A T I O N

I, Heidi Porter, do hereby certify that I typed the transcript in the Matter of Robert Rios taken on December 22, 2006 by Cathy Rodriguez at the offices of the Department of Education, and that to the best of my ability, this is an accurate transcription of what was recorded at that time and place.

Heidi Porter

HEIDI PORTER, Transcriber

EXHIBIT T

FINDINGS OF FACT AND DECISION

Case Number: 107814

Student's Name: Robert Rios

Date of Birth: September 6, 1995

District: 11

Hearing Requested By: Parent

Date of Hearing: December 22, 2007

Hearing Officer: Mary Noe, Esq.

Case No. 107814

NAMES AND TITLES OF PERSONS WHO APPEARED

Warren J. Sinsheimer	Attorney	Parent
Gloria Rodriguez	Mother	
Mark Parent	Chairperson Designee, CSE, District 11	Department of Education
Mary Beth Macina	Attorney	Department of Education

Case No. 107814

The Parents requested an impartial hearing on or about October 27, 2006 for prospective tuition for the 2006-2007. Previously on August 18, 2006 the Parent requested an impartial hearing for the same issue. The prior Hearing Officer found that the Parent was not entitled to tuition and added that the claim was dismissed without prejudice. The decision was appealed.

The District made a motion to dismiss based on *inter alia* res judicata. A hearing was held on December 22, 2006. At that time I adjourned the decision on appeal regarding the same issue.

The State Review Office has determined that the claim is dismissed with prejudice and therefore the petitioner does not get another opportunity to relitigate this matter.

IT IS HEREBY ORDERED that the present case is dismissed.

Dated: February 15, 2007


MARY NOE, ESQ.
Impartial Hearing Officer

MN:nn

Case No. 107814

PLEASE TAKE NOTICE

Within 35 days of the date of this decision, the parent and/or the New York City Department of Education has a right to appeal the decision to the State Review Officer of the New York State Education Department under Section 4404 of the Education Law and the Individuals with Disabilities Education Act.

"The notice of intention to seek review shall be served upon the school district not less than 10 days before service of a copy of the petition for review upon such school district, and within 25 days from the date of the decision sought to be reviewed. The petition for review shall be served upon the school district within 35 days from the date of the decision sought to be reviewed. If the decision has been served by mail upon petitioner, the date of mailing and the four days subsequent thereto shall be excluded in computing the 25- or 35-day period." (8NYCRR279.2[b]) Failure to file the notice of intention to seek review is a waiver of the right to appeal this decision.

Directions and sample forms for filing an appeal are included with this decision. Directions and forms can also be found in the Office of State Review website: www.sro.nysesd.gov/appeals.htm.

EXHIBIT U



REGION 2

Laura Rodriguez, Regional Superintendent
 Jose Ruiz, Deputy Regional Superintendent

Michele Beatty, Chairperson CSE

DIVISION OF SPECIAL EDUCATION

E-2 Psychological Evaluation

Cover Sheet

Child's Name: Robert Rios

NYCID #: 268-366-903

Home Address: _____

CSE Case #: 11-33880

Date of Birth: 09-06-1995 Referral Type: Re-eval

School: Winston Prep.

Program: _____

TESTS ADMINISTERED:

- Woodcock Johnson – Third Edition: Tests of Achievement (WJ-III:A)
- Woodcock Johnson – Third Edition: Tests of Cognitive Ability (WJ-III:C)
- Wechsler Abbreviated Scale of Intelligence (WASI)
- Wechsler Intelligence Scale for Children – Fourth Edition (WISC-IV)
- Wechsler Individualized Achievement Tests – Second Edition (WIAT-II)
- Wechsler Adult Intelligence Scale – Third Edition (WAIS-III)
- Wechsler Preschool and Primary Scale of Intelligence – Third Edition (WPPSI- III)
- Stanford-Binet – Fifth Edition (SB-5)
- Differential Abilities Scales (DAS)
- Bender-Gestalt Test – Revised (BGT-R)
- House-Tree-Person Figure Drawings
- Conners' Parent Rating Scale- Revised (CPRS-R)
- Conners' Teacher Rating Scale- Revised (CTRS-R)
- BASC-2 (PRS-A) or (PRS-C)
- BASC-2 (TRS-A) or (TRS-C)
- Vineland Adaptive Behavior Scale – Revised (Vineland II)
- Review of School Records
- Clinical Interview
- Other (Specify) Parent Interview

0	3	0	8
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0	3	-	2	1	-	0	7
---	---	---	---	---	---	---	---

Exam Completion Date

E	N
---	---

Exam Language Used Cascade Step U

E

School Psychologist

Cuthbert H. Joseph, Ph.D.

NYC Department of Education, REGION 2
 RIOS, Robert . D.O.B.: 09/06/1995
 March 21, 2007

CSE 8
 268-366-903
 11-33880

COMPREHENSIVE PSYCHOLOGICAL & EDUCATIONAL EVALUATION

REASON FOR REFERRAL

Robert Rios is an 11-7 year-old boy in a 6th grade, Special Class program at the Winston Preparatory School. He started this program last September, when his mother (Gloria Rodriquez) decided to have him enrolled, rather than to wait for a placement from the CBST process in which he was enlisted. She has since reported that a significant positive transformation has taken place since her son's enrollment in the aforementioned school, and has consequently sought to have his tuition paid by the Department of Education, on the grounds that the latter has failed to provide her son with an appropriate placement in a timely manner. The case went to impartial hearing on at least three occasions, with a decision each time that fails to uphold the claims of Ms Rodriquez. Since Ms Rodriquez has lost her appeals - resulting in an eventual dismissal (dated 2/15/07), the current reason for referral seems to be that of updating evaluations and assessments necessary to decide on an appropriate placement for Robert in a Department of Education public school.

Ms Rodriquez reports that Robert has made a full year's gain in most main academic skills within the first half-year at Winston Prep: with reading and writing skills in particular surging from upper-2nd grade to upper 3rd grade. Mathematics represents an area of slower learning rate, but his gains here at least correspond to time spent in school. But "There are other, even more significant gains," she contends: Before Winston Prep, Robert used to hate school, about which he was quite depressed. Indeed, it was a struggle each morning to get him in a frame of mind to approach the school, as he used to complain of classmates laughing at him and provoking him in other ways. Now he looks forward to going to school with much excitement, and can hardly wait on her in the mornings.

Contrary to the claims of Ms Rodriquez (who came across as a mature conscientious mother), records from Robert's previous school indicate that he was reading at a mid-3rd grade level in September 2005 (See Page 3 of IEP, wrongly dated as 10/07/04, instead of 10/07/05), and demonstrating math skills that averaged at the beginning 2nd grade level. The assessor commented to the effect that Robert was a shy lad with a tendency to give up easily. Despite his poor work habits, he had made significant gains in reading decoding and reading comprehension, but was less dramatic with regards to his progress in mathematics.

RELEVANT BACKGROUND DATA

Robert resides with her mother as the only child at home, his 17-year-old half sister having been allowed to start college early in Massachusetts, and his 20-year-old full sister residing in PR. His father reportedly lives in the Bronx; but contact between Robert and his father has been infrequent since his parents separated about 6 ½ years ago. Ms Rodriquez reports that Robert usually presents as nervous, fearful, and given to worries, with psychosomatic complaints such as stomachaches. He can be rather stubborn, with trouble following routines. He used to receive counseling at Astor Place 3 years ago.

Previous psychological evaluation on the WASI indicated low average cognitive development: VIQ=82, PIQ=86, FSIQ=83. His health history has been good, except for allergic reactions to milk and seafood, and asthma for which he used to use a pump or a nebulizer as needed.

OBSERVATION

Robert is a handsome boy of a slim athletic figure. He was well groomed, but he kept his coat zipped up all the way. He wore his glasses. He was fully compliant from the onset, and was indeed quite focused

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and intent on doing his very best. But weak visual orienting was evident early, so that visual processing was sometimes slow. Ms Rodriguez reports here that Robert complains of having double vision. Evaluations from his ophthalmologist reveal weak iris muscles in one eye. Recommended training of these muscles are scheduled to commence soon. But his approach to the visual task was always good, with adequate ability to persist and to face challenges.

He reports that he likes his current school and that he feels being liked by both staff and peers. His comments to similar questions regarding his previous school were quite the opposite. His speech was generally clear. But fluency showed mild deficits, and he tended to forget directions quickly, and had difficulty retrieving facts from long-term memory.

COGNITIVE FUNCTIONING LEVEL

Wechsler Intelligence Scale for Children - Fourth Edition (WISC-IV)

Test Domain	Standard Score	Percentile	Category
Verbal Comprehension (VCI)	79	8	Borderline
Perceptual Reasoning (PRI)	86	18	Low Average
Working Memory (WMI)	83	13	Low Average
Processing Speed (PSI)	97	42	Low Average
Full Scale IQ	82	12	Low Average

- Standard scores (SS) are ordinal ranks with a mean (average) of 100 and a standard measuring unit (standard deviation) of 15. They are normally distributed, so that roughly 68% of these scores fall within one standard deviation on either side of the mean - that is between 115 and 85, and 95% of them fall within two standard deviations of the mean - that is between 130 and 70.
- Percentile ranks (pr) are ordinal scores that specify the number of a random sample of 100 students of the same age who are likely to do less well the student examined.
- The full scale standard score is a reliable measure of intellectual ability, cognitive development or scholastic aptitude. The verbal scale measures **verbal comprehension** and language development, the **perceptual reasoning** scale measures perceptual organization or nonverbal reasoning, the **working memory** scales measures executive functioning, auditory processing, short-term memory or ability to concentrate, and the **processing speed** domain measures visual and even more general processing speed.

Robert performs at a low average level in overall cognitive development, as is indicated by his full scale standard score of 82 +/- 5 on the WISC-IV. This score is better than those of about 12 out of every 100 of his age peers in the United States. He performs at a level that is borderline at the worst in verbal comprehension and language development (VCI=79, pr=8), but is low average or just a little weak in nonverbal reasoning and perceptual organization (PRI=86, pr=18). The 7-point difference between these two estimates of his cognitive development is not statistically significant, consistent with earlier findings of a reasonably balanced cognitive development across the initial two broad domains of the intelligence scale. But he is low average at best in working memory or auditory processing (WMI=83, pr=13), even though he is average in processing speed (PSI=97, pr=42). The 14-point difference between these two measures of his ability to concentrate is statistically significant, suggesting that Robert concentrates better on visual than on auditory inputs; and the 18 point difference between his strongest and weakest performances is significant, consistent with the hypothesis of learning disabilities.

NYC Department of Education, REGION 2
 RIOS, Robert . D.O.B.: 09/06/1995
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Subtest	Percentile	1	2	5	9	16	<u>25</u>	<u>37</u>	<u>50</u>	<u>63</u>	<u>75</u>	84	91	95	98	99				
Verbal Scale Score		1	2	3	4	5	6	7	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	13	14	15	16	17	18	19
Similarities									X											
Vocabulary									X											
Comprehension										X										
(Information)							X													
Nonverbal Scale		1	2	3	4	5	6	7	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	13	14	15	16	17	18	19
Block Design									X											
Picture Concepts										X										
Matrix Reasoning											X									
(Picture Completion)							X													
Working Memory		1	2	3	4	5	6	7	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	13	14	15	16	17	18	19
Digit Span										X										
Letter Number Seq.									X											
(Arithmetic)																				
Processing Speed		1	2	3	4	5	6	7	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	13	14	15	16	17	18	19
Coding										X										
Symbol Search											X									
Subtest Percentile		1	2	5	9	16	<u>25</u>	<u>37</u>	<u>50</u>	<u>63</u>	<u>75</u>	84	91	95	98	99				

- Scale scores (ss) are ordinal scores from 1 to 19 with a mean of 10 and standard deviation of approximately 3. Scale scores greater than 12 are considered strengths, while those below 8 are considered weaknesses. Although both percentiles and scale scores are ordinal (i.e. order students according to how much of the underlying trait they are estimated to possess), significant pulling and stretching are mathematically required to convert scale scores to percentiles, which more closely match the normal distribution.

Robert's verbal comprehension and language processing skills cluster at the low average to borderline level, for the most part. He performs at the low average level in knowledge of social rules and conventions that are critical to the exercise of common sense and good judgment in social situations, and at the borderline or very weak level in both verbal concept formation and vocabulary skills or word knowledge. He is weakest in general knowledge or ability to retrieve facts from long-term memory, falling here to the mildly mentally deficient level. This finding in particular suggests that over learning and re-learning considerations are critical especially in content/fact-based subjects such as science and social studies.

His nonverbal reasoning skills show a weaker cluster that extends from the average to the borderline level. He performs at the solid average level in matrix reasoning which measures ability to discriminate, differentiate, distinguish, or make fine tuned distinctions along various dimensions of reasoning. But he falls to the low average level where organization or visual concept formation is critical, and to the borderline level in analysis/synthesis or deductive/inductive reasoning combined with spatial ability, and visual acuity or alertness to the importance of visual details.

Robert's working memory or auditory processing skills are consistently weak, ranging from low average

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to borderline, compared with those of his age peers. Here, he performs at the low average level in passive attention variables such as auditory acuity and clarity of the memory trace, and at the borderline level in more complex information-handling variables such as verbal rehearsal, chunking, categorizing, and memory search.

His scores in processing speed are consistently strong, performing here at the average level in speed of learning while coding/copying new material, as well as in visual discrimination speed.

Overall, Robert's profile of cognitive abilities disperses widely, from solid average to mental deficiency, consistent with the hypothesis of learning.

VISUAL-MOTOR INTEGRATION

Robert is solid average at the worst in eye-and-hand coordination, as is indicated by his standard score of 109 on the Bender-Gestalt Test- Revised. This score is significantly higher than the level predicted by his low average Perceptual Reasoning Index (PRI=86), but is closer to his average speed of learning while copying (Coding=10) on the WISC-IV. His hand writing is legible, even when he is writing fast on a speeded test..

PERSONALITY

Robert impressed the examiner as a youngster who is improving in emotional independence and social adjustment in social settings. His projections clearly point to a period of emotional insecurity and low self-assurance. His figure drawing of a house is leaning to the left by as much as 45*, and the lattices are so emphasized that it becomes hard to overlook the implied need to brace a faltering ego. His tree resembles the open space of a key-hole. The trunk was excessively broad, underlining the associated need for emotional support; and the human figure was quite small with wing-like arms and legs, underlining low self-assurance or depression combined with anxiety and withdrawal tendencies (or a desire to fly away and escape the harsh realities of life). Other salient features point to a tendency to worry, and to generalized anxieties or fears. He thought for a few minutes, but was unable to come up with a wish in response to the three wishes question.

He reported that he did not like his previous school, and that he has many friends at Winston Prep. He was afraid of several students in the previous school, especially of those who threatened to hurt him. He does not feel the same way in his current school since everyone there is his friend. He reports that he used to see people who were not real in the past. They never said anything to him, but used to make him scared. The last occurrence of such hallucinations, he reports, was before he started going to Winston Prep school. He has not told anyone about this, but does not mind me sharing it with his mother (apparently, now that it a thing of the past). He is no longer afraid of monsters, and can sleep in his own room at night.

His mother's response to the Behavior Assessment Inventory for Children 2nd edition hints at several disorders at a clinical level of significance, thus warranting follow up. These include Anxiety, Depression, Somatization, Withdrawal, and Negative Emotionality all at the 99th percentile. Critical items include: *Almost always Easily annoyed by others, Eats too little, Has eye problems, Worries about making mistakes, and Sometimes Bullies others, Says 'I want to die' or "I wish I were dead,' and Often says 'I hate myself.'*

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ACADEMIC ACHIEVEMENT

Woodcock Johnson III: Tests of Achievement

Name: RIOS, Robert
 Date of Birth: 09/06/1995
 Age: 11 years, 6 months
 Sex: Male
 Date of Testing: 03/21/2007

School: Winston Prep
 Teacher: Brooke McGeory, & Peter Hill
 Grade: 6.7
 ID: 268-366-903
 Examiner: Dr. C. Joseph

TABLE OF SCORES

Norms based on age 11-6

CLUSTER/Test	Raw	AE	PR	SS Category	GE	Significance Test
BROAD READING	-	10-0	31	93 Average	4.6	
BROAD MATH	-	8-1	3	73 Borderline	2.6	1.60 *
MATH CALC SKILLS	-	8-1	2	68 Deficient	2.7	1.93 *
ACADEMIC SKILLS	-	9-5	27	91 Average	4.2	
ACADEMIC FLUENCY	-	9-7	18	86 Low Average	4.1	0.73 ns

Form A of the following achievement tests was administered:

Letter-Word Identification	53	10-4	38	95 Average	4.8	
Reading Fluency	46	10-9	40	96 Average	5.4	
Story Recall	-	9-8	33	93 Average	4.2	
Calculation	11	8-1	3	71 Borderline	2.6	1.73 *
Math Fluency	36	8-1	2	69 Deficient	2.7	1.87 *
Spelling	36	11-1	47	99 Average	5.7	
Writing Fluency	11	8-8	6	77 Borderline	3.3	1.33 ns
Passage Comprehension	26	8-5	17	86 Low Average	3.1	
Applied Problems	27	8-0	6	77 Borderline	2.6	1.33 ns

AE=age, GE=grade, PR=percentile, SS=standard score. Significance tests describe the departure of each standard score from Robert's expected IQ of 97, based on data obtained from his performance on the WISC-IV. A departure of more than 1.5 z-scores is deemed significant, as per Department of Education regulations.

Robert's overall reading skills are average to low average compared to those of his age peers (Broad Reading=93, pr=31, grade=4.6). He performs at the 4th to 5th grade level in both word recognition (L-Word ID=95, pr=38, grade=4.8) and reading fluency where speed and accuracy are critical (Reading Fluency=96, pr=40, grade=5.4). These indices represent delays of just over one year in each case. But he falls further in reading comprehension, where he is delayed by more than three grades (Passage Comprehension=86, pr=17, grade=3.1). In written expression, he is roughly on grade level in spelling (Spelling=99, pr=47, grade=5.7), but is delayed by more than three years in reading fluency where speed is inserted as a critical variable (Writing Fluency=77, pr=6, grade=3.3).

Robert's performance in mathematics is really quite delayed, compared to those of his age peers (Broad

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Math=73, pr=3, grade=2.6). He performs at this very weak level in calculation skills (Calculation=73, pr=3, grade=2.6), as well as in math fluency where speed and accuracy are critical (Math Fluency=69, pr=2, grade=2.7). He is not able to compute subtraction involving a 2-digit number, and still makes errors (often enough) when computing with single-digits. He failed all attempts that involved division, fractions, and subtraction with carrying, and was able to figure out only one of the simplest multiplication facts.

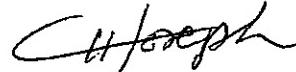
Overall, Robert's academic skills profile shows a high degree of consistency with the hypothesis of learning disabilities.

SUMMARY

Robert Rios is an 11½-year-old boy of an imbalanced cognitive development. He performs at the borderline level in verbal comprehension and language development, and is low average in both nonverbal reasoning working memory or auditory processing ability, even though he is clearly average in processing speed. His eye-and-hand coordination is even stronger average to high average compared to those of his age peers. His academic skills disperse widely but her academic skills disperse widely - from two grade levels above to two grade levels below those of her average age peers.

Recommendations

Robert stands to benefit from a setting that allows for ample individual assistance and/or supplementary instructional assistance in his areas of weakness. A full speech and language evaluation/update is recommended. Counseling to reduce anxiety and improve interpersonal relationships is paramount. Where vision training is recommended, these services need to start immediately, since they impact on Robert's ability to cope at school.


Cuthbert H. Joseph, Ph.D.
School Psychologist



Student Robert Rios

NYC ID# 268-366-903

Date of Conference _____

05

ACADEMIC PERFORMANCE AND LEARNING CHARACTERISTICS
 Describe the student's present levels of academic achievement, language development, cognitive development and learning style in English and the other non-English language for LEP students. Discuss how the student's disability affects his/her involvement and progress in the general curriculum or the preschool setting, as appropriate, how the student's disability affects participation in appropriate activities.

PRESENT PERFORMANCE:

Robert is unbalanced in overall cognitive development. He performs at the borderline level in verbal comprehension and language development, seven years below average level in nonverbal reasoning as well as in working memory tasks though he is average in processing speed. His eye-hand coordination is solid average of the worst, but his academic skills dispense widely - from average in spelling to far below delayed in all aspects of math.

READING and WRITING

Area	Date Woodcock-Johnson III: Evaluation	Score	Instructional Level	Area	Date	Test/Evaluation	Score	Instructional Level
Decoding	3-21-07	L-Word ID	95	Grade 4.8	3-21-07	Calculation	71	Grade 2.6
Reading Comprehension		Reading Fluency Passage Comprehension	86	4.4		Problem Solving	77	4.2.6
Listening Comprehension	✓	Story Recall	96	4.4	Speed	✓	Math Fluency	64
Writing		Writing Fluency Spelling	77 99	4.4 5.7		Applied Problems	2.7	BROAD READING = 2.6

ACADEMIC MANAGEMENT NEEDS

(Environmental modifications and human/material resources)

Student:

Robert Rios

NYC ID#

268-366-903 CSE # 11-33880

Date of Conference

SOCIAL/EMOTIONAL PERFORMANCE

Describe the student's strengths and weaknesses in the area of social and emotional development in English and the other than English language for LEP students.

Consider the degree and quality of the student's relationships with peers and adults, feelings about self and social adjustment to school and community environments.

Discuss how the student's disability affects his/her involvement and progress in the general curriculum or, for preschool students, as appropriate, how the student's disability affects participation in appropriate activities.

PRESENT PERFORMANCE:

Robert presents as a quiet, somewhat withdrawn youngster who is anxiously seeking to accept himself as a normal kid, and to obtain a similar acceptance from his significant others. He is now making friends at school, and these play a significant role in enhancing his happiness and self-assurance.

BEHAVIOR AND THE INSTRUCTIONAL PROCESS

- Behavior is age appropriate.

Describe present levels of support including personnel responsible for providing behavioral support.

- Behavior does not seriously interfere with instruction and can be addressed by the general education and/or special education classroom teacher.
- Behavior seriously interferes with instruction and requires additional adult support.
- Behavior requires highly intensive supervision.

SOCIAL/EMOTIONAL MANAGEMENT NEEDS
(Environmental modifications and human/material resources)

A behavior intervention plan has been developed. Yes No

Student _____

Robert Rios

NYC ID# 268-366-903

Date of Conference _____

ACADEMIC PERFORMANCE AND LEARNING CHARACTERISTICS

Describe the student's present levels of academic achievement, language development, cognitive development and learning style in English and the other than English language for LEP students. Discuss how the student's disability affects his/her involvement and progress in the general curriculum or in specialized subjects, as appropriate, how the student's disability affects participation in appropriate activities.

PRESENT PERFORMANCE:

Robert is unbalanced in overall cognitive development. He performs at the borderline level in verbal comprehension and language development, even though his average level in nonverbal reasoning is well above working memory level. Although he is average in processing speed, his eye-and-hand coordination is solid average at the worst, but his academic skills dispense widely - from average in spelling to far below delayed in all aspects of math.

READING and WRITING

Area	Date Test/Evaluation	Score	Tests	Instructional Level	Area	Date Test/Evaluation	Score	Instructional Level	
Decoding	3-21-07	L-Word ID	95	Grade 4.08	Computation	3-21-07	Calculation	71	Grade 2.6
Reading Comprehension		Reading Fluency Passage Comprehension	96	4.4	Problem Solving		Applied Problems	77	4.2.6
Listening Comprehension		Story Recall	96	4.5.4	Speed		Math Fluency	69	4.2.7
Writing		Writing Fluency Spelling	77	4.3.3			BROAD READING	4.6	BROAD MATH = 2.6

ACADEMIC MANAGEMENT NEEDS

(Environmental modifications and human/material resources)

SOCIAL/EMOTIONAL PERFORMANCE

Describe the student's strengths and weaknesses in the area of social and emotional development in English and the other than English language for LEP students.

Consider the degree and quality of the student's relationships with peers and adults, feelings about self and social adjustment to school and community environments.

Discuss how the student's disability affects his/her involvement and progress in the general curriculum or, for preschool students, as appropriate, how the

student's disability affects participation in appropriate activities.

PRESENT PERFORMANCE:

Robert presents as a quiet, somewhat withdrawn youngster who is anxiously seeking to accept himself as a normal kid, and to attain a similar acceptance from his significant others. He is now making friends at school, and these play a significant role in influencing his happiness and self-assurance.

BEHAVIOR AND THE INSTRUCTIONAL PROCESS

- Behavior is age appropriate.
- Behavior does not seriously interfere with instruction and can be addressed by the general education and/or special education classroom teacher.
- Behavior seriously interferes with instruction and requires additional adult support.
- Behavior requires highly intensive supervision.

Describe present levels of support including personnel responsible for providing behavioral support.

SOCIAL/EMOTIONAL MANAGEMENT NEEDS
(Environmental modifications and human/material resources)

A behavior intervention plan has been developed. Yes No

ANNUAL GOALS AND SHORT-TERM OBJECTIVES

There will be _____ reports of progress per year using the coding system shown below.

ANNUAL GOAL:	PROGRESS:	CSE #								Date of Conference							
		1st	2nd	3rd	4th	5th	6th	7th	8th	1st	2nd	3rd	4th	5th	6th	7th	8th
1.0 will be able to choose reading as a way to enjoy free time at school and at home.	Methods of Measurement Report of Progress Progress Toward Annual Goal Reasons for not Meeting Annual Goal																
SHORT-TERM OBJECTIVES:																	
1.1 will be able to read 5 or more chapters of a book daily - 80% of the time																	
1.2 will be able to regular read a range of material for information & pleasure - 80% of the time																	
1.3 will be able to read and discuss a range of materials on a given topic to enhance comprehension - 70% proficiency level.																	
ANNUAL GOAL:																	
Written Expression	PROGRESS:	1st	2nd	3rd	4th	5th	6th	7th	8th	1st	2nd	3rd	4th	5th	6th	7th	8th
2.0 will be able to enjoy writing as a way of expressing his ideas	Methods of Measurement Report of Progress Progress Toward Annual Goal Reasons for not Meeting Annual Goal																
2.1 will be able to write 3 pages on a given topic/book - 70% proficiency																	
2.2 will be able to transpose material from one form to another (narrative to poetry)																	
2.3 will be able to summarize information gathered from 3 or more sources - 70% prof.																	
2.4 will be able to select 6 pieces of his work for editing and elaboration - 70% prof.																	
METHODS OF MEASUREMENT	EXPLANATION OF CODING SYSTEM																
1. Teacher Made Materials 2. Standardized Tests 3. Class Activities 4. Portfolio(S) 5. Teacher/Provider Observations	REPORT OF PROGRESS	PROGRESS TOWARD GOAL	REASONS FOR NOT MEETING GOAL														
		A. Anticipate meeting goal B. Do not anticipate meeting goal (Note reason) C. Goal met	1. Not applicable during this grading period 2. No progress made 3. Little progress made 4. Progress made, goal not yet met 5. Goal met	1. More time needed 2. Excessive absence or lateness 3. Assignments not completed 4. Other (Specify)													
*While a review of your child's educational program occurs every year, please be advised that you have a right to request a review of your child's program at any time.																	
The student's performance is approaching his/her promotion criteria as set forth on Page 9 of the IEP.																	
For students who are not anticipated to meet their annual goals and/or promotion criteria: We recommend that the IEP Team be reconvened:																	
25-6500-06.1 Rev. 2/01																	
Page 6 _____																	
CSE _____																	

ANNUAL GOALS AND SHORT-TERM OBJECTIVES

There will be _____ reports of progress per year using the coding system shown below.

ANNUAL GOAL:	PROGRESS:	CSE #							
		1st	2nd	3rd	4th	5th	6th	7th	8th
Mathematics	Methods of Measurement								
will be able to apply one ^{all four} operations to a range of problem-solving situations.	Report of Progress								
	Progress Toward Annual Goal								
	Reasons for not Meeting Annual Goal								

SHORT-TERM OBJECTIVES:

- 1 will be able to multiply 2-, 3-, and 4-digit whole numbers by 1-digit & 2-digit factors.
- 2 will be able to divide 1-digit to 4-digit dividends by 1-digit & 2-digit divisors - 70% acc.
- 3 will be able to compute all 4 operations decimals - 70% accuracy.
- 4 will be able to explore relationships between fractions and decimals - 70% acc.

ANNUAL GOAL:

METHODS OF MEASUREMENT	EXPLANATION OF CODING SYSTEM	REPORT OF PROGRESS	PROGRESS TOWARD GOAL								REASONS FOR NOT MEETING GOAL
			1st	2nd	3rd	4th	5th	6th	7th	8th	
1. Teacher Made, Materials	6. Progress Assessment Task	1. Not applicable during this grading period	A. Anticipate meeting goal	1. More time needed							
2. Standardized tests	7. Check lists	2. No progress made	B. Do not anticipate meeting goal	2. Excessive absence or lateness							
3. Class Activities	8. Verbal Explanation	3. Little progress made	C. (Note reason)	3. Assignments not completed							
4. Portfolios	9. Other (Specify) _____	4. Progress made, goal not yet met	D. Goal met	4. Other (Specify) _____							
5. Teacher/Provider Observations											

While a review of your child's educational program occurs every year, please be advised that you have a right to request a review of your child's program at any time.

The student's performance is approaching his/her promotion criteria as set forth on Page 9 of the IEP;

For students who are not anticipated to meet their annual goals and/or promotion criteria: We recommend that the IEP Team be reconvened:

Use a Y (Yes) or N (No) in the appropriate column.

ANNUAL GOALS AND SHORT-TERM OBJECTIVES

There will be _____ reports of progress per year using the coding system shown below.

ANNUAL GOAL:	PROGRESS:	Date of Conference							
		1st	2nd	3rd	4th	5th	6th	7th	8th
•1 Improved self-assurance and self-control.	Methods of Measurement								
	Report of Progress								
	Progress Toward Annual Goal								
	Reasons for not Meeting Annual Goal								

SHORT-TERM OBJECTIVES:

- *1 will be able to address his fears and worries about school and home in a therapeutic setting through various media - 70% proficiency
- *2 will be able to demonstrate age appropriate freedom from distractibility and adequate attention in a range of school settings - 70% of the time

ANNUAL GOAL:

PROGRESS:	Date of Conference							
	1st	2nd	3rd	4th	5th	6th	7th	8th
Methods of Measurement								
Report of Progress								
Progress Toward Annual Goal								
Reasons for not Meeting Annual Goal								

SHORT-TERM OBJECTIVES:

- *3 will be able to focus on the task at hand for 15-/20-/30-minute intervals.
- *4 will be able to complete written assignments on time - 80% of the time.

EXPLANATION OF CODING SYSTEM

METHODS OF MEASUREMENT	REPORT OF PROGRESS	PROGRESS TOWARD GOAL	REASONS FOR NOT MEETING GOAL
1 Teacher Made Materials	6 Performance Assessment Task	1. Not applicable during this grading period	A. Anticipate meeting goal B. Do not anticipate meeting goal 1. More time needed 2. Excessive absence or lateness 3. Assignments not completed 4. Other (specify) _____
2 Standardized Tests	7 Check List	2. No progress made	
3 Class Activities	8 Verbal Explanation	3. Little progress made	
4 Portfolios		4. Progress made; goal not yet met	
5 Teacher/Provider Observations		5. Goal met	

*While a review of your child's educational program occurs every year please be advised that you have a right to request a review of your child's program at any time.

The student's performance is approaching his/her promotion criteria as set forth on Page 9 of the IEP:

For students who are not anticipated to meet their annual goals and/or promotion criteria: We recommend that the IEP Team be reconvened:

Parent Rating Scales Report

Behavior Assessment System for Children, Second Edition

Cecil R. Reynolds

Randy W. Kamphaus

Child Information

ID: 268366903

Name: RIOS, ROBERT

Sex: MALE

Birth Date: 09/06/1995

Child Age: 11:6

Child Grade:

School: WINSTON PREPARATORY

Other Data: LEARNING DISABILITIES CLASSIFICATION

Test Information

Test Date: 03/21/2007

Rater: GLORIA RODRIQUEZ

Sex: FEMALE

Relationship: MOTHER

Norm Group 1: General - Combined Sex

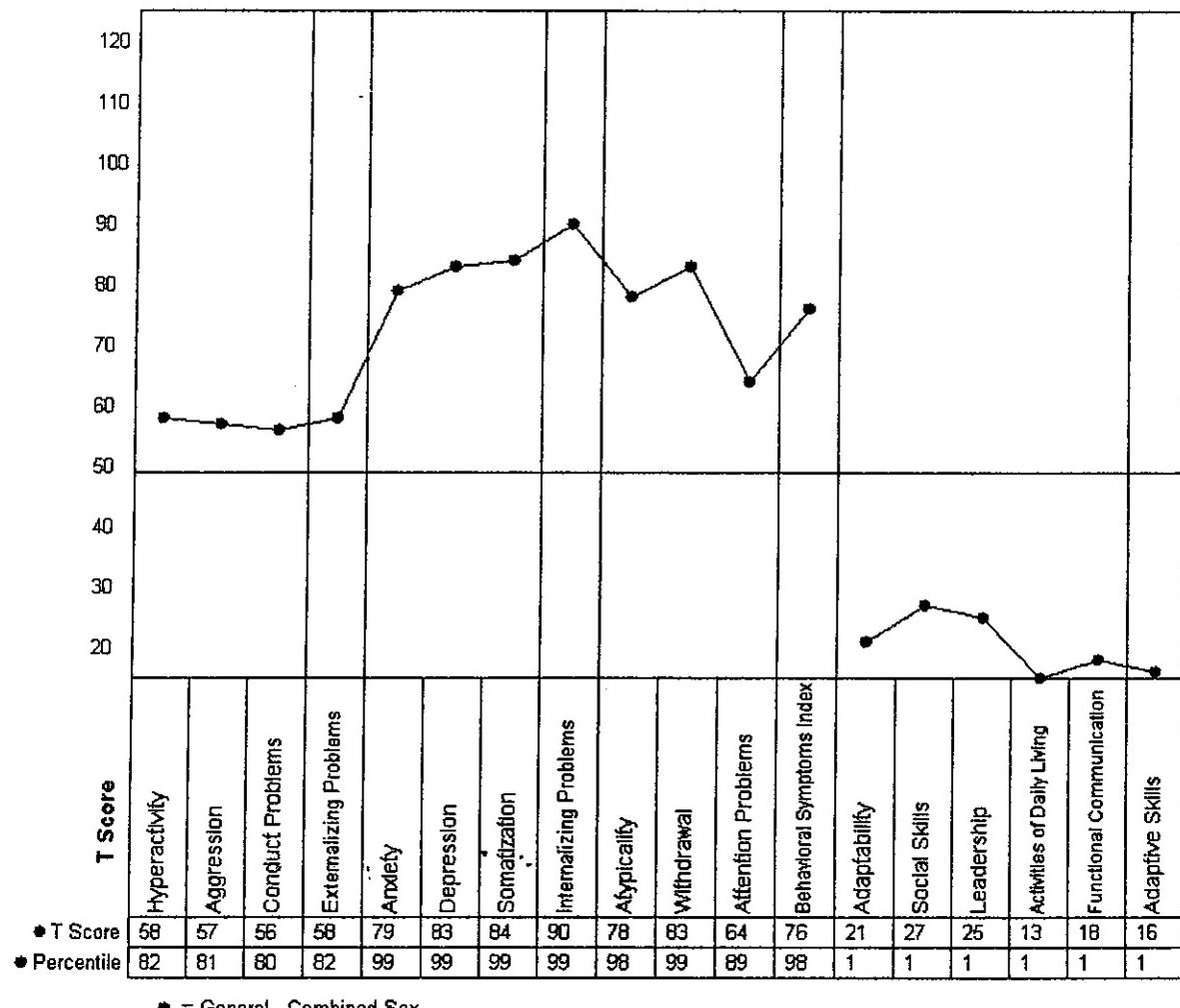
Results contained herein are confidential, and should only be viewed by those with proper authorization.

The Behavior Assessment System for Children, Second Edition (BASC-2) is an integrated system designed to facilitate the differential diagnosis and classification of a variety of emotional and behavioral disorders of children and to aid in the design of treatment plans. This computer-generated report should not be the sole basis for making important diagnostic or treatment decisions.

Validity Index Summary

F	Response Pattern		Consistency
	Acceptable Raw Score: 4	Acceptable Raw Score: 121	

PRS T-Score Profile



PRS Score Summary: General - Combined Sex Norm Group

Composite Score Summary

	Raw Score	T Score	Percentile Rank	90% Confidence Interval
Externalizing Problems	171	58	82	54-62
Internalizing Problems	246	90	99	85-95
Behavioral Symptoms Index	423	76	98	72-80
Adaptive Skills	104	16	1	12-20

Composite Comparisons	Difference	Significance Level	Frequency of Difference
Externalizing Problems vs. Internalizing Problems	-32	.01	1% or less

Mean T score of the BSI	71
Mean T score of the Adaptive Skills Composite	21

Scale Score Summary

	Raw Score	T Score	Percentile Rank	90% Confidence Interval	Ipsative Comparison		
					Difference	Significance Level	Frequency of Difference
Hyperactivity	11	58	82	52-64	-13	.05	5% or less
Aggression	9	57	81	51-63	-14	.05	5% or less
Conduct Problems	7	56	80	50-62	-15	.05	5% or less
Anxiety	30	79	99	73-85	8	NS	
Depression	24	83	99	77-89	12	.05	5% or less
Somatization	17	84	99	76-92	13	.05	25% or less
Atypicality	14	78	98	72-84	7	NS	
Withdrawal	21	83	99	76-90	12	.05	15% or less
Attention Problems	11	64	89	58-70	-7	NS	
Adaptability	3	21	1	14-28	0	NS	
Social Skills	4	27	1	21-33	6	NS	
Leadership	2	25	1	18-32	4	NS	
Activities of Daily Living	2	13	1	5-21	-8	NS	
Functional Communication	8	18	1	12-24	-3	NS	

Note. All classifications of test scores are subject to the application of the standard error of measurement (SEM) when making classification decisions. Individual clinicians are advised to consider all case-related information to determine if a particular classification is appropriate. See the BASC-2 Manual for additional information on SEMs and confidence intervals.

Validity Index Item Summary

Items contributing to Validity Indexes (except Response Pattern) with Caution or Extreme Caution ratings are presented below.

CONSISTENCY INDEX	
<u>Item</u>	<u>Response</u>
9.) Has a short attention span.	Sometimes
73.) Is easily distracted.	Often
10.) Is easily upset.	Almost always
90.) Loses temper too easily.	Sometimes
15.) Disobeys.	Almost always
47.) Breaks the rules.	Often
16.) Makes friends easily.	Sometimes
121.) Has trouble making new friends.	Never
24.) Bullies others.	Sometimes
136.) Is cruel to others.	Never
40.) Argues with parents.	Never
56.) Argues when denied own way.	Sometimes
50.) Complains about not having friends.	Almost always
82.) Says, 'I don't have any friends.'	Often
61.) Lies to get out of trouble.	Never
111.) Lies.	Sometimes
71.) Volunteers to help clean up around the house.	Never
127.) Volunteers to help with things.	Sometimes
92.) Says, 'I want to die' or 'I wish I were dead.'	Sometimes
138.) Says, 'I want to kill myself.'	Never
102.) Interrupts others when they are speaking.	Never
134.) Interrupts parents when they are talking on the phone.	Often
130.) Is clear when telling about personal experiences.	Often
154.) Communicates clearly.	Sometimes

Scale Summary

This report is based on GLORIA RODRIGUEZ's rating of ROBERT's behavior using the BASC-2 Parent Rating Scales form. The narrative and scale classifications in this report are based on T scores obtained using norms. Scale scores in the Clinically Significant range suggest a high level of maladjustment. Scores in the At-Risk range may identify a significant problem that may not be severe enough to require formal treatment or may identify the potential of developing a problem that needs careful monitoring.

Externalizing Problems

The Externalizing Problems composite-scale T score is 58, with a 90 percent confidence-interval range of 54-62 and a percentile rank of 82.

ROBERT's T score on Hyperactivity is 58 and has a percentile rank of 82. ROBERT's mother reports that ROBERT demonstrates a level of self-control that is similar to the levels displayed by other children his age.

ROBERT's T score on Aggression is 57 and has a percentile rank of 81. ROBERT's mother reports that ROBERT tends not to act aggressively any more often than others of his age.

ROBERT's T score on Conduct Problems is 56 and has a percentile rank of 80. ROBERT's mother reports that ROBERT demonstrates rule-breaking behavior no more often than others his age.

Internalizing Problems

✓ The Internalizing Problems composite-scale T score is 90, with a 90 percent confidence-interval range of 85-95 and a percentile rank of 99. ROBERT's T score on this composite scale falls in the Clinically Significant classification range.

✓ ROBERT's T score on Anxiety is 79 and has a percentile rank of 99. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT frequently displays behaviors stemming from worry, nervousness, and/or fear.

✓ ROBERT's T score on Depression is 83 and has a percentile rank of 99. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT is withdrawn, pessimistic, and/or sad. Scores in this range usually warrant assessment of vegetative symptoms (e.g., weight loss or gain, fatigue, etc.). Suicidal tendencies should also be explored.

✓ ROBERT's T score on Somatization is 84 and has a percentile rank of 99. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT displays an unusually high number of health-related concerns. When a serious health problem is not present, these concerns may be indications of an underlying emotional problem.

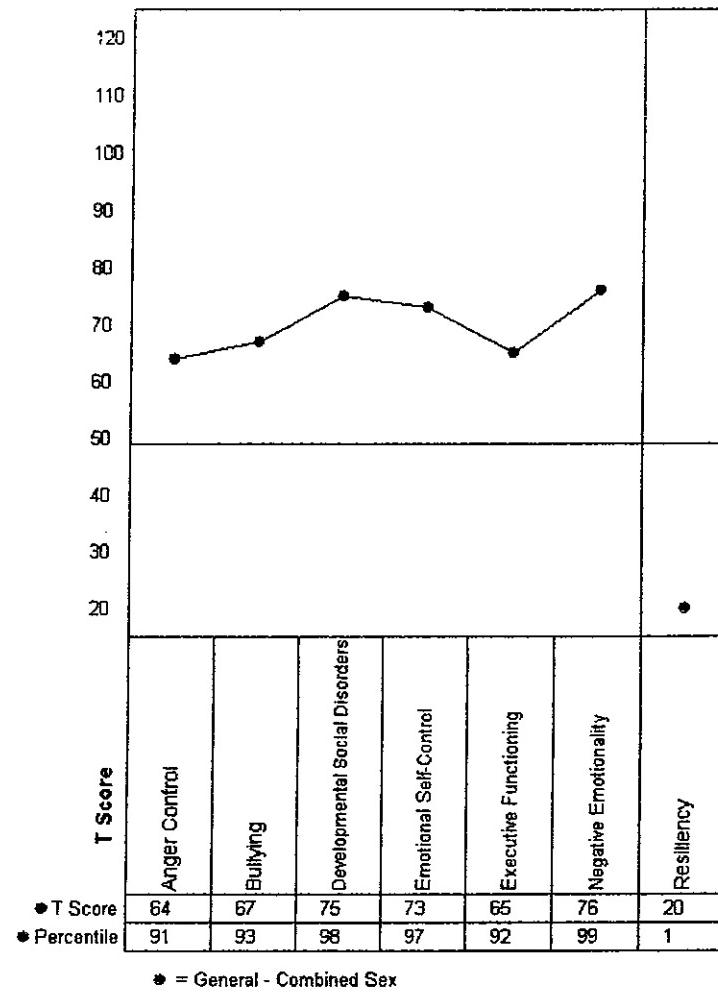
Behavioral Symptoms Index

The Behavioral Symptoms Index (BSI) composite-scale T score is 76, with a 90 percent confidence-interval range of 72-80 and a percentile rank of 98. ROBERT's T score on this composite scale falls in the Clinically Significant classification range. Scale summary information for Hyperactivity, Aggression, Depression, and Attention Problems (scales included in the BSI) has been provided above. Scale summary information for the remaining BSI scales is given next.

ROBERT's T score on Anxious/Depressed is 79 and has a percentile rank of 99. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT engages in behaviors that are considered strange or odd, and he generally seems disconnected from his

Content Scales

The information provided below is based on content scales that have been theoretically and empirically developed. This information is considered to be secondary to the clinical, adaptive, and composite scale information provided previously. An elevated content scale score may warrant additional follow-up.



Summary: General - Combined Sex Norm Group

	Raw Score	T Score	Percentile Rank	90% Confidence Interval
Anger Control	11	64	91	56-72
Bullying	11	67	93	61-73
Developmental Social Disorders	25	75	98	69-81
Emotional Self-Control	10	73	97	66-80
Executive Functioning	16	65	92	58-72
Negative Emotionality	12	76	99	68-84
Resiliency	7	20	1	13-27

Content Scale Score Summary: General - Combined Sex Norm Group

Content Scales

ROBERT's T score on Anger Control is 64 and has a percentile rank of 91. This T score falls in the At-Risk classification range, and follow-up may be necessary. ROBERT's mother reports that ROBERT has a tendency to become irritable quickly and has difficulty maintaining his self-control when faced with adversity.

ROBERT's T score on Bullying is 67 and has a percentile rank of 93. This T score falls in the At-Risk classification range, and follow-up may be necessary. ROBERT's mother reports that ROBERT has a tendency to be disruptive, intrusive, and/or threatening toward other students.

✓ ROBERT's T score on Developmental Social Disorders is 75 and has a percentile rank of 98. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT has poor social skills and difficulty communicating with others.

✓ ROBERT's T score on Emotional Self-Control is 73 and has a percentile rank of 97. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT has a tendency to become easily upset, frustrated, and/or angered in response to environmental changes.

ROBERT's T score on Executive Functioning is 65 and has a percentile rank of 92. This T score falls in the At-Risk classification range, and follow-up may be necessary. ROBERT's mother reports that ROBERT sometimes has difficulty controlling and maintaining his behavior and mood.

✓ ROBERT's T score on Negative Emotionality is 76 and has a percentile rank of 99. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT has a tendency to react negatively when faced with changes in everyday activities or routines.

ROBERT's T score on Resiliency is 20 and has a percentile rank of 1. This T score falls in the Clinically Significant classification range, and usually warrants follow-up. ROBERT's mother reports that ROBERT has difficulty overcoming stress and adversity.

DSM-IV-TR Diagnostic Considerations

Generalized Anxiety Disorder 300.02

The PRS-C contains items related to a number of DSM-IV-TR criteria for the diagnosis of Generalized Anxiety Disorder. The ratings for this individual tend to be relatively high compared with the general population. Listed below are ALL items related to the DSM-IV-TR criteria, regardless of their responses.

Item	Response
5.) Worries.	Almost always
7.) Is easily annoyed by others.	Almost always
13.) Is too serious.	Sometimes
32.) Worries about making mistakes.	Almost always
37.) Worries about what parents think.	Never
45.) Is fearful.	Almost always
69.) Is nervous.	Almost always
77.) Worries about things that cannot be changed.	Often
101.) Says, 'I'm afraid I will make a mistake.'	Almost always
109.) Says, 'I'm not very good at this.'	Almost always
119.) Stares blankly.	Never
141.) Worries about what other children think.	Almost always

DSM-IV-TR Diagnostic Considerations

Major Depressive Disorder 296.xx

The PRS-C contains items related to a number of DSM-IV-TR criteria for the diagnosis of Major Depressive Disorder. The ratings for this individual tend to be relatively high compared with the general population. Listed below are ALL items related to the DSM-IV-TR criteria, regardless of their responses.

Item	Response
10.) Is easily upset.	Almost always
28.) Cries easily.	Sometimes
92.) Says, 'I want to die' or 'I wish I were dead.'	Sometimes
106.) Says, 'I hate myself.'	Often
114.) Is sad.	Often
124.) Seems lonely.	Often
132.) Makes decisions easily.	Never
138.) Says, 'I want to kill myself.'	Never

Target Behaviors for Intervention

The behaviors listed below were identified by the rater as being particularly problematic. These behaviors may be appropriate targets for intervention or treatment. It can be useful to readminister the BASC-2 in the future to determine progress toward meeting the associated behavioral objectives.

General Behavior Issues

Item	Response
8. Teases others.	Often
38. Disrupts other children's activities.	Often
47. Breaks the rules.	Often
72. Annoys others on purpose.	Often
24. Bullies others.	Sometimes
90. Loses temper too easily.	Sometimes
104. Calls other children names.	Sometimes
111. Lies.	Sometimes

Adaptive/Social Behavior Issues

Item	Response
1. Shares toys or possessions with other children.	Never
19. Joins clubs or social groups.	Never
21. Refuses to join group activities.	Almost Always
103. Has trouble fastening buttons on clothing.	Almost Always
35. Acts in a safe manner.	Sometimes
122. Responds appropriately when asked a question.	Sometimes
154. Communicates clearly.	Sometimes
66. Speaks in short phrases that are hard to understand.	Sometimes
120. Sleeps with parents.	Sometimes

Critical Items

This area presents items that may be of particular interest when responses include Sometimes, Often, or Almost always.

Item	Response
2. Eats too much.	Never
7. Is easily annoyed by others.	Almost always
22. Has seizures.	Never
24. Bullies others.	Sometimes
26. Hits other children.	Never
27. Eats things that are not food.	Never
58. Threatens to hurt others.	Never
92. Says, 'I want to die' or 'I wish I were dead.'	Sometimes
97. Is cruel to animals.	Never
107. Hears sounds that are not there.	Never
115. Has a hearing problem.	Never
120. Sleeps with parents.	Sometimes
129. Throws up after eating.	Never
135. Has toileting accidents.	Never
137. Falls down.	Never
138. Says, 'I want to kill myself.'	Never
139. Sees things that are not there.	Never
143. Sets fires.	Never
146. Eats too little.	Almost always
147. Runs away from home.	Never
152. Has eye problems.	Almost always
155. Wets bed.	Never

Items by Scale

Clinical Scales		Attention Problems	
Item	Response	Item	Response
Aggression		9. Has a short attention span.	Sometimes
8. Teases others.	Often	17. Pays attention.	Sometimes
24. Bullies others.	Sometimes	41. Listens to directions.	Sometimes
26. Hits other children.	Never	49. Pays attention when being spoken to.	Sometimes
40. Argues with parents.	Never	73. Is easily distracted.	Often
56. Argues when denied own way.	Sometimes	105. Listens carefully.	Sometimes
58. Threatens to hurt others.	Never		
72. Annoys others on purpose.	Often		
88. Seeks revenge on others.	Sometimes		
90. Loses temper too easily.	Sometimes		
104. Calls other children names.	Sometimes		
136. Is cruel to others.	Never		
Anxiety	✓		
Item	Response	Atypicality	
Item	Response	Response	
5. Worries.	Almost always	11. Does strange things.	Sometimes
12. Worries about what teachers think.	Almost always	23. Babbles to self.	Sometimes
13. Is too serious.	Sometimes	43. Acts confused.	Almost always
32. Worries about making mistakes.	Almost always	55. Repeats one thought over and over.	Almost always
37. Worries about what parents think.	Never	75. Seems out of touch with reality.	Often
44. Worries about schoolwork.	Often	87. Acts as if other children are not there.	Sometimes
45. Is fearful.	Almost always	96. Seems unaware of others.	Sometimes
64. Tries too hard to please others.	Never	107. Hears sounds that are not there.	Never
69. Is nervous.	Almost always	119. Stares blankly.	Never
77. Worries about things that cannot be changed.	Often	128. Says things that make no sense.	Never
101. Says, 'I'm afraid I will make a mistake.'	Almost always	139. Sees things that are not there.	Never
109. Says, 'I'm not very good at this.'	Almost always	151. Shows feelings that do not fit the situation.	Sometimes
133. Says, 'It's all my fault.'	Sometimes	160. Acts strangely.	Sometimes
141. Worries about what other children think.	Almost always		

Items by Scale

Conduct Problems		Hyperactivity	
Item	Response	Item	Response
15. Disobeys.	Almost always	6. Cannot wait to take turn.	Never
29. Steals.	Never	20. Is unable to slow down.	Sometimes
47. Breaks the rules.	Often	38. Disrupts other children's activities.	Often
61. Lies to get out of trouble.	Never	52. Acts out of control.	Sometimes
79. Deceives others.	Never	70. Fiddles with things while at meals.	Often
93. Sneaks around.	Never	84. Is overly active.	Sometimes
111. Lies.	Sometimes	102. Interrupts others when they are speaking.	Never
125. Breaks the rules just to see what will happen.	Never	116. Acts without thinking.	Sometimes
157. Gets into trouble.	Sometimes	134. Interrupts parents when they are talking on the phone.	Often
Depression		Somatization	
Item	Response	Item	Response
10. Is easily upset.	Almost always	30. Expresses fear of getting sick.	Never
18. Complains about being teased.	Sometimes	54. Complains of pain.	Almost always
28. Cries easily.	Sometimes	59. Has stomach problems.	Almost always
42. Says, 'Nobody understands me.'	Never	62. Says, 'I think I'm sick.'	Sometimes
50. Complains about not having friends.	Almost always	86. Has headaches.	Often
60. Says, 'Nobody likes me.'	Sometimes	91. Complains about health.	Often
74. Is negative about things.	Almost always	94. Gets sick.	Often
82. Says, 'I don't have any friends.'	Often	118. Has fevers.	Sometimes
92. Says, 'I want to die' or 'I wish I were dead.'	Sometimes	123. Is afraid of getting sick.	Sometimes
106. Says, 'I hate myself.'	Often	126. Complains of being sick when nothing is wrong.	Never
114. Is sad.	Often	150. Vomits.	Never
124. Seems lonely.	Often	158. Complains of shortness of breath.	Often
138. Says, 'I want to kill myself.'	Never		
156. Changes moods quickly.	Almost always		

Items by Scale

Withdrawal		Adaptability	
Item	Response	Item	Response
16. Makes friends easily.	Sometimes	1. Shares toys or possessions with other children.	Never
21. Refuses to join group activities.	Almost always	14. Recovers quickly after a setback.	Sometimes
25. Will change direction to avoid having to greet someone.	Sometimes	33. Is easily soothed when angry.	Sometimes
48. Avoids competing with other children.	Almost always	46. Adjusts well to changes in routine.	Never
53. Is chosen last by other children for games.	Sometimes	65. Adjusts well to new teachers.	Never
57. Is shy with other children.	Sometimes	78. Adjusts well to changes in family plans.	Never
80. Quickly joins group activities.	Never	110. Is a 'good sport.'	Never
89. Shows fear of strangers.	Almost always	142. Is stubborn.	Often
112. Avoids other children.	Sometimes		
121. Has trouble making new friends.	Never		
144. Prefers to be alone.	Never		
153. Is shy with adults.	Almost always		

Adaptive Scales

Activities of Daily Living		Functional Communication	
Item	Response	Item	Response
3. Has trouble following regular routines.	Almost always	34. Provides own telephone number when asked.	Never
35. Acts in a safe manner.	Sometimes	66. Speaks in short phrases that are hard to understand.	Sometimes
39. Organizes chores or other tasks well.	Never	76. Answers telephone properly.	Never
67. Sets realistic goals.	Never	81. Is unclear when presenting ideas.	Often
71. Volunteers to help clean up around the house.	Never	98. Has difficulty explaining rules of games to others.	Almost always
99. Attends to issues of personal safety.	Sometimes	108. Is able to describe feelings accurately.	Sometimes
103. Has trouble fastening buttons on clothing.	Almost always	113. Tracks down information when needed.	Never
131. Needs to be reminded to brush teeth.	Almost always	122. Responds appropriately when asked a question.	Sometimes
		130. Is clear when telling about personal experiences.	Often
		140. Accurately takes down messages.	Never
		145. Has trouble getting information when needed.	Almost always

EXHIBIT V

Winston Preparatory School
Fall 2006 Report: Robert Rios

Focus: Jessica Bottomley

Robert Rios is a new student this year at Winston Preparatory School and is currently enrolled in sixth grade. Previously, he attended PS 76. Recent evaluations indicate that Robert's ability to analyze and synthesize abstract verbal information is a relative strength. Notably, he has difficulty with word retrieval, vocabulary, decoding, spelling, and completing tasks in a timely manner. Robert is motivated to do well in school and is eager to please. A primary goal in Focus is to build Robert's confidence and independence. To date, Robert's transition appears to be one of ease and success.

Robert's Focus program consists of daily one to one instructional sessions as part of his educational curriculum. His goals for this year are based on the results of the educational testing mentioned previously, as well as informal assessment of strengths, weaknesses and current academic functioning. In Focus, Robert will address organization, time management, and reading and writing skills. The goals developed for Robert in Focus are the following:

Reading Comprehension and Fluency

- Improve ability to decode unfamiliar vocabulary
- Improve ability to infer ideas from text
- Strengthen ability to formulate conclusions after reading passages

Written Language Skills

- Develop sentence and paragraph production and expansion
- Apply spelling rules in context and isolation
- Improve organization of written work
- Implement effective prewriting and editing strategies

Academic Problem Solving

- Develop strategies to cope with anxiety caused by the academic and social demands of school
- Gain understanding of strengths and weaknesses
- Improve efficient organization of binder and homework planner
- Prioritize assignments based on due dates and predicted time necessary
- Strengthen test taking and study skills

Methods to Achieve Objectives:

Robert's reading skills will be targeted through the implementation of strategies while reading a variety of texts. Strategies will include utilizing multi-sensory techniques to enhance overall understanding. For example, reading passages aloud, rereading text, identifying unfamiliar vocabulary, highlighting significant information, and taking margin notes are methods that will be utilized to address comprehension goals. In addition, oral reading will address phonemic awareness and the application of sound symbol relationships to identify unfamiliar words. In addition, readings from *Strategic Learning Reading Comprehension*

(LinguiSystems) will present Robert with additional structured, short passages used to locate the main idea, supporting details, clarifying information, and unknown vocabulary.

Robert will target his written language skills through a variety of writing exercises as well as explicit instruction in spelling and grammar. Specifically, written language goals will target writing at the sentence and paragraph levels. Through exercises from *Reasoning & Reading* (Carlisle), Robert will utilize classifications, categories, attributes and functions to develop vocabulary and produce more complex sentences. Elaboration of sentences will include descriptions, factual information and opinions. These exercises will reinforce Robert's skills in spelling and grammar, but also focus on organization of thoughts and ideas. All writing assignments will focus on prewriting, writing drafts, editing, and using descriptive language. Special attention will be paid to encoding by using knowledge of spelling rules and applying phonemic awareness skills. Robert will review grammar and spelling weekly with worksheets from *100% Grammar* and *100% Spelling* (Mike and Carolyn LoGiudice).

Robert will improve academic problem solving skills with daily attention to binder maintenance and time management. Upon arrival to Focus, Robert will file any misplaced work in his binder. He will review his planner to insure that all assignments are written down and check them off when they have been completed. Robert's Focus sessions are first period, for this reason he will write down the date at the beginning of the session to assist him in the recognition of the day of the week. Robert will anticipate his workload for long-term projects and tests and make a study schedule to ensure an adequate amount of quality study time. He will also learn to actively study for tests using flashcards and learning material in many different forms to encourage transfer. Robert will improve his memory for content material through rehearsal, grouping, and association strategies. He will develop a vocabulary of positive self-talk and learn skills for coping with the anxiety of academic and social demands of school by creating a list of positive thoughts for addressing upsetting situations.

Robert's progress towards these goals will be evaluated both formally and informally throughout the year. His assignment completion, organization and planning skills will be assessed daily with binder and planner checks in Focus sessions. Close communication with Robert's teachers will be essential to track his progress. The improvement in Robert's writing mechanics will be measured through grammar and spelling assessments periodically in Focus and organization of his writing will be evaluated based on drafts handed in. Fluency will be assessed through oral reading activities in Focus sessions, as well as in the classroom. Continual feedback from Robert's teachers and family will ensure that the diagnostic process is ongoing, and that his goals will be adjusted to meet his needs when necessary.

Language and Literature: Peter Hill

Robert's Language and Literature curriculum will focus on improving his reading fluency, comprehension, vocabulary, written language, and expressive language skills by implementing a systematic multi-sensory approach. There will be a coordinated, cross-curriculum approach between Robert's Language and Literature course and his studies in history. Using *Pearl Harbor is Burning!* (Kathleen V. Kudlinski) and *Anne Frank: Young Diarist* (Ruth Ashby), Robert will work to strengthen his comprehension and sequencing skills through guided exercises to distinguish the main idea from supporting details, identify major and minor characters in a novel, and ascertain a narrative's theme. Fluency will be targeted through

daily oral reading and teacher-guided instruction. Oral reading, questioning, and discussion of text selections will also provide a context for improving expressive language skills as well as developing critical thinking skills (i.e., making comparisons, drawing conclusions, and synthesizing and analyzing information). Vocabulary will be taken from the text and studied both in class and independently to further improve comprehension. Additionally, read-aloud activities will be utilized to strengthen auditory processing skills. Robert's written language skills will be addressed through frequent writing assignments that will focus on grammar, parts of speech, and sentence structure. Furthermore, throughout the year, strategies will be undertaken that reflect his learning style, and class work and homework will be differentiated commensurate to his abilities. Robert has, at times, shown a commitment to succeed, but he needs to maintain his focus in class on a more consistent basis and attend to his homework assignments more carefully. Moreover, he needs to advocate for himself when he does not understand the task at hand. This year in Language and Literature Robert will focus on achieving the following goals:

- Develop and strengthen strategies to facilitate reading comprehension and inferencing skills by closely monitoring the text (i.e., determining main idea and supporting details, defining unfamiliar words, marking passages that are confusing, utilization of graphic organizers)
- Expand expressive language skills through participation in class discussions based on direct questions (who, what, where, when, why) and from teacher-selected writing topics
- Use appropriate conventions of grammar, capitalization, spelling, and punctuation to strengthen language skills
- Utilize "Cloze" exercises to strengthen the use of context clues in order to comprehend unfamiliar vocabulary
- Improve reading comprehension utilizing the Reciprocal Teaching strategy to help closely monitor text
- Expand word knowledge and strengthen sentence-writing skills through daily vocabulary exercises
- Develop independence and initiative when attempting to tackle new assignments
- Improve organizational skills through using study guides and weekly notebook checks
- Acquire focusing strategies to strengthen attention skills

Math: Brooke McGeory

Robert's math curriculum will focus on strengthening his understanding of basic math skills, the language of math, and everyday life skills. He will work to reinforce his understanding of computational skills involving subtraction, multiplication, and division in multi-step problems. Robert will receive direct instruction in math-related vocabulary, and use this knowledge to enhance his ability to comprehend and solve word problems. He will also focus on developing his understanding of fractions and decimals and apply them to practical everyday life situations. Do Now's and journal writing techniques will be used daily to help Robert practice his comprehension of math. Frequent review and the implementation of strategies should help Robert with higher-level math skills. Participation in the classroom will be encouraged for students to work together while building both social and academic skills. At times his considerable amount of energy makes it difficult for Robert to concentrate on one task at a time, but he generally responds well to teacher prompting. Based on the above criteria, the following skills will be targeted and strengthened.

Robert will:

- Develop accuracy in subtracting, multiplying, and dividing multi-step problems
- Solve word problems containing complex language by reinforcing the mathematical linguistic and developing strategies

- Use strategies to Solve fractions, decimals and percents
- Use computational skills in real-life applications
- Class participation
- Following directions

Science: Susan Feldman

Robert's science curriculum will focus on strengthening his reading comprehension, expressive and receptive language, and study skills through the study of animals. Content material will include studying the characteristics of land and water invertebrate and vertebrate, including reptiles, amphibians, birds and mammals. Major concepts will be introduced using *Land and Water Animals* (Steck-Vaughn), *The Seaside Naturalist*, (Simon and Schuster), *Marine Biology* (Harper Collins Publishers), and reinforced using a variety of teacher prepared material, which is broken down into more manageable steps. Emphasis will be placed on organizing and categorizing information, as well as determining the main idea and supporting details in a paragraph. Hands-on lab activities, interactive computer programs, videos and websites will provide a multi-sensory approach to enhance Robert's understanding of the material under study. Robert has difficulty understanding the material presented. As a result, we are working on strategies to improve reading comprehension by breaking down the material and assignments into more manageable passages. Prior to reading the material, vocabulary words and their meanings are presented from the text. Definitions/synonyms for these words are then discussed and written into Robert's text to aid his comprehension and expand his vocabulary. To strengthen written language skills, Robert will concentrate sentence development to include more detail. He will use pre-writing strategies such as brainstorming, semantic maps and lists to organize his thoughts. During class discussions, Robert is encouraged to slow down and articulate his ideas clearly. He frequently loses his focus in class, however, when he is on task, he demonstrates that he is capable of making academic gains. Based on the above information, the following skills will be targeted:

- Improve reading comprehension using the Reciprocal Teaching strategy to help identify main idea, locate and recall details
- Improve note-taking skills through the use of a variety of outlining and semantic mapping strategies as well as utilizing the Cornell two-column method
- Strengthen expressive language skills through teacher-guided class discussion and written assignments
- Develop test-taking strategies specific to Robert's learning style
- Improve organizational skills, including both organization of class materials and organization of written and oral expression
- Acquire memorization strategies specific to learning style (i.e., mapping, repetition, categorization, mnemonics)

History: Peter Hill

During the fall semester we will utilize Robert's academic strengths to help him with his reading comprehension of expository text; inferential reasoning skills; expressive and written language; and organizational skills. This year Robert will study War in the Modern Era using *The Usborne Encyclopedia of World History* (EDC Publishing) as well as a wide variety of other texts, visual materials, internet resources, and teacher-generated handouts. Topics to be covered include the First World War and the Russian Revolution; the Depression Era and World War II; the Cold War; the Arab-Israeli conflict; the

Gulf War; and the War in Iraq. In order to improve Robert's information encoding, sequencing, and memory retrieval, we will focus on implementing a variety of strategies that are used across the curriculum at Winston, including highlighting skills; differentiating the main idea from supporting details; note-taking skills; outlining and semantic mapping; and homework, study, and test-taking skills. We will also incorporate cooperative teaching techniques in the classroom that will provide additional reinforcement of new concepts as well as help Robert develop his expressive language capabilities. Robert has made a smooth transition to Winston and he is off to a very good start. Although there are times that he diligently takes notes in class, Robert frequently needs to be prompted to remain focused and on-task. On occasion, he contributes to class discussions, but often Robert is reluctant to participate. The following skills will be targeted and reinforced for Robert in history this year:

- Develop and participate in learning a variety of strategies to construct meaning from reading assignments (i.e., marking unfamiliar words, marking passages that are confusing, determining main idea and supporting details, utilization of graphic organizers)
- Expand expressive language skills through participation in class discussions based on directed questions (i.e., who, what, where, and when), and student selected writing topics
- Utilize "Cloze" exercises to strengthen ability using context clues in order to comprehend unfamiliar vocabulary
- Improve reading comprehension utilizing the Reciprocal Teaching strategy to help closely monitor text
- Expand word knowledge through regular vocabulary assignments
- Improve ability to identify main idea, locate and recall details, and summarize information
- Develop test-taking strategies and historical research writing skills through teacher-guided instruction
- Acquire memory reinforcement strategies (i.e., mapping, repetition, categorization)

Art: John Civita

This semester in art Robert will develop skills in dealing with design in three dimensions. Each experience is designed to strengthen fine motor skills, as well as enhance problem-solving skills. He will learn various uses and materials for three-dimensional design. Materials covered include, but are not limited to paper mache, wire construction, paper folding and manipulation, ceramic construction, clay sculpture, various fabric uses and found objects. Robert will not only take part in a hands on approach, but will view a wide range of artistic works, exploring what art is, who makes it, and why it is made. Robert demonstrate and interest in the creative process, but often needs prompting to remain focused and on task. Based on the aforementioned criteria the following skills will be targeted.

- Develop confidence through expanding technical facility and experimenting with new methods and materials
- Strengthen self-awareness through creative expression
- Practice communication skills while collaborating with others
- Reinforce the ability to describe, analyze, and interpret artwork
- Increase the ability to follow directions and organize thoughts

Physical Education: Jon James

The Physical Education program is designed to enhance Robert's physical abilities, life skills and basic sports knowledge. Through sports and activities, the content will address cardiovascular and muscular fitness, body awareness, body control and teamwork. Listening skills, conflict resolution and sportsmanship

will also be integrated into the curriculum. Students will be responsible for their actions, as well as encouraged to develop a positive attitude regarding physical activity and a healthy lifestyle. At the middle school level, teamwork, sport specific athletic skills and physical development will be focal points. Physical education allows students to interact both physically and socially in an open environment. As a result, all students are encouraged to participate in all activities, take risks, and display tolerance with respect to individual differences within the group. Based on the above criteria, Robert will be able to focus on the following goals in physical education:

- Improve cardiovascular and muscular fitness through sports and activities
- Strive to accomplish more as a team member than as an individual
- Learn to take risks by participating in all activities
- Improve social skills through interaction with peers in an open environment
- Develop problem solving skills by strategizing in a semi-competitive environment
- Gain an understanding and appreciation for the importance of a healthy lifestyle
- Work toward being consistently prepared and prompt for class

EXHIBIT W

Winston Preparatory School**Winter Progress Report 2007 Report: Robert Rios****Focus: Jessica Bottomley**

Robert's first semester at Winston Preparatory School has been one of gradual success. He arrived to Focus promptly with all homework assignments completed in a timely manner. Academically, Robert is motivated to do well and is eager to please. A primary goal in Focus is to build Robert's confidence and independence. In Focus, Robert has strengthened organization, time management, and reading and writing skills this semester.

Reading skills, including identifying the main idea, recognizing supporting details, drawing conclusions, and defining vocabulary, are targeted regularly in Focus through exercises extrapolated from the workbook *Strategic Learning Reading Comprehension* (LinguiSystems). To reinforce these skills, Robert is reading *The Kid Who Ran For President* (Dan Gutman). Following each chapter, Robert answers the Wh- questions in his writing journal to ensure accurate text interpretation and facilitate retention of plot events. Robert has demonstrated that when he is reading the text aloud and remaining focused he has minimal difficulty comprehending excerpts. Oral readings have revealed that Robert has difficulty identifying unfamiliar words. Therefore, through exercises from *Recipe for Reading* (Traub), Robert has reviewed sound /symbol (letter) relationships in isolation and in context. Instruction was generalized and practiced through frequent oral reading activities. While Robert has made progress in reading comprehension and fluency, he would benefit from continued repetition and review in these areas.

Written language goals have been targeted primarily at the sentence level through a variety of activities. As observed in Focus and as reported by content teachers, Robert is oftentimes challenged to elaborate on ideas resulting in one-sentence responses. Therefore to assist him in the development of descriptive writings, Robert has been introduced to prewriting strategies, such as brainstorming, and the opportunity to discuss and jot down ideas prior to writing has begun to improve his descriptions. Furthermore, Robert has benefited from answering questions that encourage him to think about what he sees, smells, feels, and hears. In addition, Robert has been encouraged to answer self-created specific Wh- questions about an object. The use of category webs has helped Robert develop vocabulary and categorization skills. Grammar and punctuation are refined by utilizing workbook exercises from sources, such as *100% Punctuation* (Mike and Carolyn LoGiudice), and are reinforced in all written assignments.

Robert's academic and social problem solving skills were targeted through a variety of activities. Developing organization and study skills were targeted through daily binder and planner checks. Robert needed teacher assistance maintaining an organized binder throughout the semester, but became more independent with this task as the semester progressed. Although Robert has become more independent with this task, he still requires teacher prompting at the start of each Focus session to organize his materials and handouts. In addition, Robert has been introduced to the use of checklists to help ensure that he arrives to class on time and with necessary class materials. It is important to note, he has begun to recognize the importance of the planner to help organize his homework assignments; nevertheless, he is not yet recording assignments independently. Robert has also benefited from using a checklist during the day in his content classes. This checklist has helped Robert better understand classroom expectations and provides a start for

discussions regarding his class participation and performance. In the middle of the fall semester Robert began participating in a weekly pragmatic group with several other classmates. Here, Robert and his classmates have focused on the importance of topic maintenance and eye contact when having a conversation. Robert is consistently encouraged to self-advocate, both socially and academically, by appropriately approaching and informing others of his needs and has decreased his hesitancy to do so. He has gained understanding that he can learn from mistakes, and as a result, has increased risk-taking in both class and Focus. At times, Robert becomes distracted by unrelated thoughts, resulting in interjection of tangential questions and/or comments. With reminders about previously discussed rules for conversational discourse (i.e., appropriate time/place, relevancy), Robert is increasing awareness of his distractibility and improves this for the remainder of the Focus period. Robert has also improved in following previously discussed rules of conversation by staying on-topic and signaling transitions appropriately.

Spring goals will continue to address reading, written language, social pragmatics and study skills. Specifically, he will continue to monitor comprehension using *Who, What, Where, When* and *Why* questions, as well as writing plot notes and chapter summaries while reading. In addition, continued emphasis will be placed on written language, focusing both on mechanics and organization. Robert will continue to develop study skills and strategies to improve his academic work, including creating a study calendar, which will highlight upcoming quizzes and tests. Through continued encouragement, guidance, and increased independence, Robert's skills in each of these areas will continue to evolve. Continued collaboration with Robert's teachers will allow for opportunities to target goals and generalize skills within the classroom setting.

Language and Literature: Peter Hill

In Language and Literature this past term, Robert has been working to strengthen his reading comprehension as well as his written and expressive language skills. He has made gradual, yet steady progress in his decoding, vocabulary, reading fluency, and comprehension. The class has been divided into two separate reading groups to maximize instruction of comprehension strategies, summarization skills, and metacognitive strategies. We have focused on recognizing the structure of narrative fiction and on identifying its literary elements, including characters, setting, plot, motivation, conflict, climax, and resolution. Before each new reading assignment from *Pearl Harbor is Burning!* (Kudlinski), Robert is presented with unfamiliar vocabulary words from the text and their definitions. Each new word is reviewed repeatedly and discussed in class, thereby facilitating comprehension and expanding his word knowledge. Robert has been asked to highlight main characters and to underline unknown vocabulary while reading. After reading each page from the book, Robert completes a graphic organizer to identify the 5 W's (who, what, when, where, and why), to summarize the main idea, and to make a prediction. Robert benefits tremendously from group discussions of each page when we analyze particular passages and review his answers. This process of question and answer gives him the opportunity to clarify his understanding of the text as well as improve his expressive language skills. At the end of each chapter, Robert is asked to write a chapter summary and these chapter summaries will be utilized to write a book report. To reinforce the concept of literary and plot elements as well as strengthening auditory processing and visual sequencing skills, each week we view scenes from appropriate motion pictures, including *The Princess Bride* and *Akella and the Bee*, after which the class discusses and diagrams key literary components. Over the course of the second term, Robert will continue to work on improving his comprehension skills, making

inferences, understanding figurative language, and reading proactively. He will work to expand his vocabulary and to understand synonyms using *Spotlight of Vocabulary: Synonyms* (LinguiSystems). Robert will also continue to study punctuation, grammar, and parts of speech using *100% Grammar* (LinguiSystems) and several internet sources. Robert has fair decoding skills and he has begun to read with more fluency; but differentiating between main ideas and supporting details, establishing connections, drawing conclusions, and making inferences still continues to challenge him. However, Robert would be able to achieve more substantial gains if he were more dedicated to his studies. He has often come to class unprepared, late, and without his homework assignments. When he does bring his homework to class, often it is hastily completed. In Language and Literature as in History, Robert resorts to several avoidance techniques to try to escape from doing his work. But when he does focus on his work at home and at school, Robert has shown that he is capable of making commendable academic gains. When he begins to comport himself as a serious, dedicated student on a more consistent basis, Robert will experience more significant academic results.

Math: Brooke McGeory

During the fall semester, Robert's mathematical skills have improved. Robert's math curriculum has included review of basic math skills, such as, addition, subtraction, multiplication, money, time, daily word problems, and journal writing. Robert seeks out help when needed, and he attempts to participate frequently. To enhance his understanding of mathematics, emphasis is placed on understanding and applying mathematical skills to the real world, and identifying vocabulary and key words. These will lead Robert to become capable of more logical reasoning when faced with problem solving. On a consistent basis, Robert tends to ask for help. He has improved tremendously staying in his seat and staying focused on his work. Although Robert participates, in class he continues to need guidance by the teacher. For example, when Robert does word problems, the wording can become complex for him, in which he needs step-by-step assistance. Robert arrives to class on time and his homework is neat and organized. Robert's quizzes have improved, but he needs to devote more time to studying his basic math skills. In the spring semester, Robert will continue to study word problems, time, money, multiplication, and division in order to integrate these skills in his everyday life.:-

Science: Susan Feldman

Robert's science curriculum is focusing on decoding, strengthening reading comprehension, expressive and receptive language, through the study of animals. The class has been divided into two separate groups to maximize instruction of comprehension strategies, with material written specifically to target goals set for Robert. Content began with an introduction to the major groups of invertebrates and vertebrates, beginning with the characteristics and relationships of mollusks; soft-bodied animals that typically have inner or outer shells, such as clams, oysters, octopuses and squid. We are currently studying, the characteristics and relationship between sea anemones and clownfish. Hands-on activities, and interactive computer programs will continue to provide multi-sensory experiences to enhance Robert's understanding of the material under study. During the fall semester emphasis was primarily placed on breaking down multisyllabic or unfamiliar words and strengthening Robert's reading comprehension. Various strategies are used such as presenting new vocabulary prior to reading the text. The words are syllabicated and meanings for the words and then discussed and synonyms are provided. Definitions are then written in his text to aid

comprehension and to expand Robert's understanding of any unfamiliar words. Drawing pictures of the words, creates a visual image to help Robert with word retrieval difficulties. Through these processes he is continuing to expand his vocabulary. With teacher guidance Robert goes through each chapter or section and highlights all titles, headings and vocabulary words. In this way he has a general sense of what topics will be discussed. Next, he looks at all photos to learn about specific details. Then when it is time for him to answer questions, he can go back and search the passages for more detail. Robert does this for each chapter, which is helping to alleviate the overwhelming task of having to read the material straight through, while trying to determine what is important. Information is scaffolded and repeated throughout each section of the text. Robert's responses to questions are demonstrating that he is beginning to eliminate irrelevant or tangential information. In addition, constructing visual charts and diagrams for concepts, such as comparing and contrasting the characteristics of different species, is helping Robert organize his ideas and see patterns with greater clarity. New strategies such as, marking unfamiliar words, marking passages that are confusing, determining main idea and supporting details are continually being introduced and implemented to help Robert grasp the key concepts under study. Goals for spring semester will include using the Cornell two-column note taking method to organize information from the text, and as a study guide. In addition, Robert will be asked to write out his own questions and answers, which should give us more insight as to his understanding of the material. Robert is a pleasure to have as a student, and I look forward to his continued progress in science.

History: Peter Hill

In history Robert is working to improve his reading comprehension, cognitive processing, memory retrieval, and expressive language skills. As in Science and Language and Literature, MS 1 has been divided into two different sections. In Robert's group, the text is broken down into manageable units of information to facilitate overall comprehension and to reinforce content-specific vocabulary. Using *The Usborne Encyclopedia of World History* (Usborne), as well as supplemental materials from other texts and internet sources, Robert has studied World War I and Trench Warfare and Tsarist Russia and the Bolshevik Revolution. Robert is employing various strategies utilized across the curriculum at Winston, such as Reciprocal Teaching, semantic mapping, and the Cornell two-column note-taking method, to facilitate reading comprehension. These study skills combined with a multi-layered reinforcement strategy which includes PowerPoint presentations, word webs, graphic organizers, flash cards, and student-generated study questions has helped Robert grasp some new information and concepts in class. Robert is an inconsistent student and he has received fair marks on his tests and homework assignments. He needs to devote more time and attention to his homework. Often assignments go undone or are undertaken in a cursory manner. When he attempts to do his homework, Robert is struggling to locate and differentiate between the main idea and supporting details and his answers are often incomplete and lack elaboration. Moreover, he frequently loses his focus in class, engages in extraneous conversation, and repeatedly employs avoidance stratagems to evade classwork. However, on those rare occasions when he does harness his abilities, he has produced very good work. Should he decide to apply himself fully to his studies, Robert could succeed academically.

Art: John Civita

Robert continues to develop skills in dealing with design in three-dimensional form. He was taught the complicated process of building an armature in order to model a figurative polymer clay sculpture.

However, he struggled with the technique and chose to use a toy car as his armature and cover it with clay, demonstrating a degree of ingenuity. Robert participated in an exercise in which two students competed against the clock to create a representational piece of art using similar objects. He found this challenging and was hesitant to partake, but with prompting, he found it entertaining and created an inventive piece. This exercise was designed to nurture a sense of community in the class and show Robert that art can be fun and sometimes viewed as play. Although Robert is often resistant or finds the assignments difficult he does demonstrate imaginative and creative tendencies. Therefore, it is believed that with continued guidance he will continue to develop and become more confident in his abilities.

Physical Education: Jonathan James

Progress/Performance

Exhibits body control	V
Shows coordination	S
Demonstrates cardiovascular fitness	S
Utilizes knowledge of sports	S
Applies sports strategies	S
Practices problem solving skills	S

Participation

Dresses in uniform	S
Arrives on time	V
Contributes to class activities	S
Cooperates	S
Works in group	S

Commitment

Open to new activities	S
Willing to take risks	V
Consistent effort	N
Displays sportsmanship	S
Follows directions	S
Incorporates teacher suggestions	N

Key

E =Excellent

V = Very good

S = Satisfactory

N = Needs improvement

U = Unsatisfactory